

REMARKS

Claims 1-10 are pending in the application. Claims 1-10 stand rejected. Claims 11-16 are added. Claim 1 is an independent claim.

Claims 11-13 are added. Claims 11 and 12 are fully supported by the FIG. 3 and in Detailed Description, at page 12, line 3 – page 13, line 5. Claim 13 is fully supported by FIG. 3.

Claim 1 is amended to recite that the first (second) reflecting part reflects “at least one channel of the forward (backward) optical signal, and being configured to allow at least one channel that is not reflected to pass therethrough.”

The support for the amended claim 1 can be found in Detailed Description, at page 12, line 3 – page 13, line 5.

Claims 4, 6, 8, and 10 stand objected as allegedly being duplicates of claims 3, 5, 7, and 9, respectively. In response, the Applicant amends each of claims 4, 6, 8, and 10 to depend on claims 3, 5, 7, and 9, respectively.

The Applicant respectfully requests withdrawal of the objection.

Claim 1 stands rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. The Patent Office indicates that the recitation of “the first circulating part being connected at the first and third ports thereof to a second optical network...” is not clear.

In response, the Applicant amends claim 1 to recite “the second circulating part being connected at the first and third ports thereof to a second optical network...”

The Applicant respectfully requests withdrawal of the rejection.

The Applicant wishes to thank the Examiner for indicating that any one of the claims 3-10 would allowable if rewritten as an independent claim, incorporating all features of the base and any intervening claim.

The Applicant, however, wishes to defer rewriting any one of claims 3-10 at this time. The Applicant, instead, wishes to amend claim 1, as noted below.

Claim 1 stands rejected under 35 U.S.C §102(b) as allegedly being anticipated by Fatehi *et al.* (U.S. 6,607,389).

Claim 1 recites an optical cross-connect device comprising “a first reflecting part being configured to input the forward optical signal; and a second reflecting part being configured to input the backward optical signal.”

The support can be found in the original claim 1 that recites first (second) reflecting part adapted to selectively reflect forward (backward) optical signal “input thereto.” Claim 1 is amended simply to clarify the description of the reflecting parts. No additional feature is added, and the amendments do not necessitate a new search.

According to the United States Court of Appeals for the Federal Circuit, a claim is anticipated only if a single prior art reference set forth each and every feature recited in a claim (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

In rejecting claim 1, the Patent Office indicates that the first and second reflecting parts are each set forth by the fiber grating 105A and 105B of Fatehi.

Fatehi, as read by the Applicant, discloses a wavelength-elective optical cross-connect comprising first and second fiber Bragg gratings (the “gratings”) 105A and 105B (FIG. 1). However, Fatehi explicitly teaches that both gratings are configured to input optical signals I_1 and I_2 traveling in one direction and configured to input forward signals or backward signals.

As such, Fatehi does not set forth or anticipates an optical cross-connect device comprising “a first reflecting part being configured to input the forward optical signal; and a

Amendment
Serial No. 10/712,962

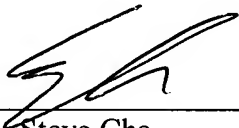
second reflecting part being configured to input backward optical signal," as recited in claim 1.

The Applicant respectfully requests withdrawal of the rejection.

Other claims in this application are each dependent on the independent claim 1 and believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,


By: Steve Cha
Attorney for Applicant
Registration No. 44,069

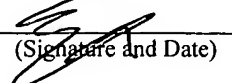
Date: 12-15-06

Mail all correspondence to:
Steve Cha, Registration No. 44,069
Cha & Reiter
210 Route 4 East, #103
Paramus, NJ 07652
Tel: 201-226-9245
Fax: 201-226-9246

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 12-15-06.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)